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12 Attorneys for Defendant  
FEDEX GROUND PACKAGE SYSTEM, INC.

13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
15 OAKLAND DIVISION

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17 MICHELLE HINDS, an individual, and | Case No. 4:18-cv-01431-JSW (AGT)  
18 TYRONE POWELL, an individual,  
19 Plaintiffs,  
20 vs.  
21 FEDEX GROUND PACKAGE SYSTEM,  
INC., a Delaware corporation; and BAY RIM  
SERVICES, INC., a California corporation,  
22 Defendants.  
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**FEDEX GROUND'S PROPOSED,  
DISPUTED SPECIAL VERDICT FORMS**

Action Filed: March 5, 2018  
FAC Filed: May 10, 2018  
Trial: October 24, 2022

1 FedEx Ground submits the following proposed, disputed special verdict forms for the  
2 jury trial in this case:

3 Appendix A: Special Verdict Form on All Claims (Excluding PAGA Claims)

4 Appendix B: Special Verdict Form for PAGA Claims

5 For the reasons detailed in FedEx Ground's Memorandum of Law in Opposition to  
6 Plaintiffs' Offered, Disputed Instructions (Section VII), Plaintiffs' PAGA claims should not be  
7 submitted to the jury but, instead, tried to the Court. FedEx Ground submits this separate  
8 PAGA special verdict form (Appendix B) solely to preserve its position on how the verdict  
9 form should be presented in the event the Court were to permit Plaintiffs' PAGA claims to go  
10 to the jury. FedEx Ground objects to PAGA claims for waiting time penalties and wage  
11 statement violations for the additional reasons detailed in FedEx Ground's Memorandum of  
12 Law in Opposition.

13 Because Plaintiffs previously conceded they cannot pursue a PAGA claim based on  
14 purported overtime violations (by not opposing FedEx Ground's motion to strike that claim in  
15 any fashion), FedEx Ground does not submit a proposed special verdict form for that claim. If  
16 the Court permits Plaintiffs to revive their PAGA claim based on overtime violations and to  
17 present such a claim to the jury, FedEx Ground respectfully requests an opportunity to add  
18 questions related to that claim on its PAGA special verdict form at that time.

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1 Dated: September 19, 2022

2 Respectfully submitted,

3 WHEELER TRIGG O'DONNELL LLP

4 By: /s/ Jessica G. Scott  
JESSICA G. SCOTT

5 Attorney for Defendant  
6 FEDEX GROUND PACKAGE SYSTEM,  
7 INC.

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